

**From:** Scott Breimeister <Scott.Breimeister@pharmsmgmt.com>  
**To:** Ronnie McAda <ronniemcada@gmail.com>  
**CC:** Brian Ski <brianski9966@gmail.com>; Peter Herbst  
<peter.herbst@omnipluspharmacy.com>; Leonard Carr  
<leonard.carr@omniplushealthcare.com>  
**Sent:** 10/31/2014 12:18:50 PM  
**Subject:** FW: OmniPlus Pharmacy - CVS/Caremark Audit

Ronnie:

Below is a copy of the most recent correspondence with our attorney. As you can see he's doing everything humanly possible to salvage the in-network relationship we have with CVS/Caremark.

As you can also see by his conversation with the CVS attorney, this relationship is heavily dependent on the level of cooperation they receive from Dr. Kennedy. Can you please impress upon her how important it is for her to contact the auditor and explain the entire situation AS SOON AS POSSIBLE. As you know, they're withholding reimbursements to us of almost \$ 1.0 million pending settlement of this issue.

Her cooperation not only impacts our ability to adjudicate scripts for her and other Texas physicians, it impacts our ability to adjudicate scripts for physicians in 12 other states. Needless to say, losing CVS would have a material adverse impact on the pharmacy.

Appreciate your help.  
Scott

**From:** Gil Ganucheau [mailto:gganucheau@md-law.com]  
**Sent:** Thursday, October 30, 2014 4:54 PM  
**To:** Scott Breimeister  
**Cc:** Leonard Carr; Raghu Chintalapally; brianski9966@gmail.com; Branko Milosevic; 'Kathleen L. DeBruhl'  
**Subject:** RE: OmniPlus Pharmacy - CVS/Caremark Audit

Scott:

I spoke with the attorney for CVS and told her that Dr. Kennedy has verified that the 10 patients on the list of denied scripts were in fact her patients and that she had issued the scripts. I related the story of the charts that had not been entered into the electronic medical record and advised that Dr Kennedy was going to follow up with CVS. The attorney indicated that she would pass the information to the auditors and that they would contact Dr. Kennedy if they do not hear from her by early next week.

I stated that the pharmacy would like to get back in good standing with CVS and would appreciate the release of the recouped funds once the information from Dr. Kennedy is received. The attorney then indicated that the list with the 10 patients was only part of the claims at issue with Dr. Kennedy and that CVS was acquiring additional information from her on the other claims that were listed in the first list of approximately 350 claims. Hopefully those claims will also be contained in the charts that Dr. Kennedy had not entered into her EMR.

I expressed the pharmacy's intent to continue to act appropriately in handling scripts for CVS members/customers and to do everything necessary to continue as a CVS provider.

I will let you know any additional information we receive from CVS.

Gilbert F. Ganucheau, Jr., Esq.  
Kathleen DeBruhl & Associates, L.L.C.  
[www.md-law.com](http://www.md-law.com)  
614 Tchoupitoulas Street  
New Orleans, LA 70130  
(504) 522-4054  
(504) 522-9049 (fax)

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GOVERNMENT  
EXHIBIT  
**1122**  
4:18-CR-368

e-mail: [gganucheau@omni-law.com](mailto:gganucheau@omni-law.com)

Admitted to practice in Louisiana and Texas

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**From:** Scott Breimeister [<mailto:Scott.Breimeister@pharmsmgmt.com>]  
**Sent:** Wednesday, October 29, 2014 8:47 AM  
**To:** Gil Ganucheau  
**Cc:** Leonard Carr; Raghu Chintalapally; [brianski9966@gmail.com](mailto:brianski9966@gmail.com); Branko Milosevic  
**Subject:** RE: OmniPlus Pharmacy - CVS/Carmark Audit

Gil:

Good morning.

Now that you've got a copy of all the original scripts subject to the CVS audit, several important criteria should be noted.

All of the scripts appear to have originated in Dr. Kennedy's office as noted in the fax header.  
All of the scripts appear to have Dr. Kennedy's initials/signature in the appropriate place in addition to the initials of the Robbie Hansen who I believe is a PA  
All of the scripts appear to be for the same medication and don't appear to contain Ketamine or Tramadol.

I'm not sure what we've done wrong and I certainly don't know why Dr. Kennedy would deny the validity of these scripts.

What's the next step?

Scott

**From:** Scott Breimeister  
**Sent:** Tuesday, October 28, 2014 5:49 PM  
**To:** 'Gil Ganucheau'  
**Subject:** FW: OmniPlus Pharmacy - CVS/Carmark Audit

Gil,

For your reading enjoyment.

Scott

**From:** Scott Breimeister  
**Sent:** Tuesday, October 28, 2014 5:49 PM  
**To:** 'ckennedy@kennedybariatrics.com'; 'rhansen@kennedybariatrics.com'  
**Subject:** OmniPlus Pharmacy - CVS/Carmark Audit

Dear Dr. Kennedy:

Pursuant to the request of Ronnie McAda, please find below a link to a dropbox file containing the original prescriptions received by OmniPlus that are currently under review by CVS. To minimize the paperwork, we've only attached the labels for the original fill. Obviously, many of these prescriptions include multiple refills that are also under review.

File at this link: <https://www.dropbox.com/s/a500zs52505jycc/Binder1.pdf?dl=0>

For your convenience, I've attached a complete list of the scripts under review by CVS.

Should you have any questions, please don't hesitate to contact me. Your cooperation in getting this matter sorted out is greatly appreciated.

Best Regards,  
Scott



Scott Breimeister | President | [scott.breimeister@omnipluspharmacy.com](mailto:scott.breimeister@omnipluspharmacy.com) | (713) 874-0300 pharmacy | (713) 874-0314 fax  
4916 Main Street, #100, Houston, TX 77002 | [www.omniplushealthcare.com](http://www.omniplushealthcare.com)

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